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DEPARTMENT OF COMMERCE AND LABOR
BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws
and
Regulations of July 1, 1907

Twelfth Edition, February 1, 1911
Embodying Amendments to Rules 5B, 24, and 48

WITH REVISED INDEX



WASHINGTON
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DEPARTMENT OF COMMERCE AND LABOR
BUREAU OF IMMIGRATION AND NATURALIZATION

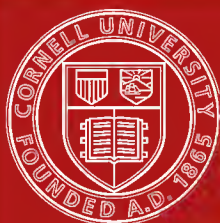
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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows:

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

List of immigration acts.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

Head tax: States.^a The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals^b collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:^c *Provided*, That the Commissioner-General of Immigration, under the direction of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:^d *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

To whom paid;
By whom paid.

'Head tax, fines, and rentals, to constitute—

Immigrant fund:
For what used.

Head tax:
To be lien upon vessel;

How payment enforced;
Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than \$2,500,000 to go into Immigrant fund;

^a For specific exceptions, see Rule 2.

^b For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

^c See paragraph (g), Rule 2.

^d See Rules 2, 25, and 27.

that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply: *a* *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.^b

Head tax:
Exceptions—
 Guam, Porto Rico, and Hawaii.

Passports:
 If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;^c professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;^d persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;^e persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;
 Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

^a See Rule 2.

^b For President's proclamation and regulations drawn thereunder, see Rule 21.

^c For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

^d For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

Excluded classes: **Contract laborers;** **Assisted aliens;** **Children under 16;** **Exceptions—** **Offenses political;** **Transits;** **Skilled labor;** **Actors, artists, etc.** **Prostitutes:** **Importation or holding penalized;**

titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe: *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

SEC. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

^a For regulations, see Rule 5.

shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.^a

Prostitutes:

Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers:

Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.^b And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for importing;

U. S. attorneys to prosecute suits;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising for, forbidden;

Exception, in favor States and Territories.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

Soliciting:

Forbidden on part transportation companies;

^a See paragraph (c), Rule 31, and Rules 34-38.

^b For method of reporting, see Rule 30.

Soliciting:	or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.
Penalty for.	
Unlawful landing:	SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in. ^a
Fine \$100:	SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,
For bringing diseased aliens;	of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: <i>Provided</i> , That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor. ^b
Method of collecting.	

^a For method of reporting, see Rule 30.^b For method of imposing, see Rule 28.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.^a

Appeals:

Not allowed
aliens afflicted
with tubercu-
losis or danger-
ous contagious
diseases.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.^b

Guardian en voyage:

Transporta-
tion companies
to bear ex-
pense of.

SEC. 12. That upon the arrival of any alien by water at any port within the United States,^c it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

Manifests:

In coming
passengers—

What to con-
tain;

^a See Rules 6 and 20; also latter part of section 25.

^b See Rule 12.

^c For the procurement of manifests from Canadian transportation companies, see paragraph (e), Rule 25.

Manifests: and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so, for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

Outgoing passengers— Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;^a and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.^b That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:^c *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:^c *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.^d

What to contain;

Penalty;

With whom deposited;

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up;

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

^a For the procurement of manifests from Canadian transportation companies, see paragraph (e), Rule 25.

^b For method of imposing fine, see Rule 29.

^c See Rule XXIX, statistical regulations.

^d See paragraphs (b) and (c), Rule I, statistical regulations.

of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests:

To be signed
and sworn to
by master, as
to correctness
of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.^a

To be signed
and sworn to
by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming
passengers—

Penalty of
\$10;

Outgoing
passengers—

Penalty of
\$10;

^a See paragraph (g), Rule 29.

Manifests: and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fines not to exceed \$100. fine exceed one hundred dollars.^a

Inspection: SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all

On board vessel;

Landing for, not actual landing;

If placed in station, immigration officers responsible.

such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

Medical examination: SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of

To be made by P. H. and M. H. surgeons;

the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,^b or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

^a For procedure, see Rule 29.

^b See Rule 9.

those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;^a and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.^b

Unlawful landing:

Exception under sec. 32;

Penalty for;

Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:^c *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"^c but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:

By vessel bringing;

Cost of, and of detention, to be borne by steamship companies;

Penalty for failure to hold, deport, or maintain;

Penalty for taking security.

Witnesses:

Authority to hold;

Cost paid from immigrant fund.

Hospital treatment — by express permission of Secretary:

Of those suffering with tuberculosis or loathsome or dangerous disease.

^a For method of reporting, see Rule 30.

^b See paragraph (d), Rule 31, and Rules 34-38.

^c See Rule 14.

Insane aliens: Holding for treatment, expense immigrant fund.
 tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:^a *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.^a

Deportation: Unlawful residents and public charges;
Bond: Releasing arrested aliens on.
Deportation: Of aliens subject thereto;
Penalty against vessels for refusal to deport on warrant;
 SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:^b *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.^c

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,^b and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

^a See Rule 10.

^b See Rules 31-37.

^c See paragraph (g), Rule 35.

under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:^a *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.^b

Deportation:

Attendants
for deported
persons.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

Commissioner-
General:

Duties of;

To make con-
tracts for re-
lief of aliens;To detail of-
ficers to inves-
tigate public
charges;To detail of-
ficers abroad.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Commission-
ers:

Duties of.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

Employees:
Appointing
and promoting.

^a For method of reporting, see Rule 30.

^b For procedure for providing attendant, see Rule 37.

Contract la-
bor laws:

Special pro-
vision for en-
forcement of.

Commission-
ers:
Appointing.

Immigration
officers:

Power and
authority of;

False swear-
ing before, per-
jury;

Challenging
decision of.

Boards of spe-
cial inquiry:

Detaining
aliens for;

Appointing;

creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteen, eighteen hundred and eighty-three: *Provided*, That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed. Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.^a Each

^a See Rule 17 for form of oath of board member.

board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration; with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.^a

Boards of special inquiry:

Other officials for;

Authority of;

Hearings before, private.

Appeals: Manner of taking;

Decision on, based solely upon original evidence;

Unless taken, decision of officers final;

Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds: Landing under; In what cases, permissible;

Bringing suits upon.

^a See Rules 5-8.

county, or municipality in which such alien becomes a public charge.^a

Suits: SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Compromising, etc.; SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Under former acts not affected hereby. SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Courts, circuit and district: SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Exclusive privileges: SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

How granted; SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.^b

Proceeds from, to be paid into immigrant fund.

Peace officers:

Admission to stations.

Commissioner-General:

To make rules and contracts for inspection on land boundaries.

^a See Rule 20 as to circumstances under which accepted.

^b For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

"United States:"

Meaning of term.

Canal Zone:
Inspection of aliens from.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Commissioner:
Appointment of, at New Orleans.

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Deportation:
To be to transoceanic ports;

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.^a

Of aliens entering unlawfully.

Ports of entry:

To be designated on land borders.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.^b

Admission:
Of diseased wife or minor children of alien who has declared intention to become citizen.

^a See Rule 38; also paragraph (g), Rule 21.

^b See Rule 11.

Anarchists:
Not to be admitted;

Penalty for assisting to enter.

Immigration Commission:
How appointed;

Authority and duties;

Expenses of how paid.

International Conference:
President authorized to arrange for;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.^a

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

^a For method of reporting, see Rule 30.

to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International
Conference:

Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information
division:

Establish-
ment of;

Duties and
authority of.

State agents:

Appointment
and stationing
at ports;
Courtesies
to;

Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.^a

Foreign offi-
cials:

Exempted
from provi-
sions hereof.

^a See paragraph (b), Rule 2.

Amendatory of
navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months.

Amendatory of
navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea."

Repealing
clause:

Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine.

When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.^a

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

^a Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.^a

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

^a 35 Stat., 1060.

IMMIGRATION REGULATIONS.

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**DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.**

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression “Immigration Act” is used, it shall be understood to refer to the act entitled “An act to regulate the immigration of aliens into the United States,” approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands:

Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax:
Collection of;

Rule 1. Collection of head tax.—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country.

Refundment of;

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof.

Head tax:

Collection of, on Mexican and Canadian borders;

Rule 2. Exemptions from head tax.—The head tax shall not be levied in respect of the following aliens:

Exemptions from—

(a) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.)

Excluded aliens;

(b) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.)

Diplomatic officers;

(c) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba, or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn.

Residents of Canada, Newfoundland, Cuba, and Mexico;

(d) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

Residents of U. S. temporarily visiting Canada, Newfoundland, Cuba, or Mexico;

(e) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.)

Residents insular possessions;

(f) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special deposit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Transits;

(g) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax

Aliens in continuous journey;

Head tax: shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (c) and (d) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of (h) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund: **Rule 3. Accounting for head tax and other receipts.**—

Accounting for receipts for. All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of miscellaneous receipts, with an assistant treasurer of the United States, or national-bank depository, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act: **Rule 4. Application of Immigration Act.**—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof, passing back and forth between the insular possessions and the continental territories of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally;

the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Rule 5. Examination of aliens.—(a) The appropriate immigration officers shall as to each alien applying to enter the United States determine as promptly as in their estimation the circumstances permit whether or not he is clearly and beyond a doubt entitled to land. If such officers are of the opinion that he is not clearly and beyond a doubt entitled to land, he shall be held for a board of special inquiry, which shall determine his case as promptly as the circumstances permit.

Examination:

Holding for, by board;

(b) Where upon arrival or pending determination as to his right to land an alien is placed in hospital suffering from a disability which in the opinion of such officers renders it impracticable correctly to apply the immigration law to his case, inspection may be postponed during the pendency of such disability.

Postponing—

When necessary to place alien in hospital;

(c) Where in the estimation of the appropriate immigration officers the cases of members of a family are interdependent, and a member is detained in hospital from a disability of the character described in paragraph (b) of this rule, the determination of such cases may be postponed until the member detained in hospital has been discharged therefrom.^a

When necessary to place a member of a family in hospital;

(d) In cases arising under paragraph (c) of this rule where the member in hospital is in no manner necessary to the support of the remaining members of the family, and he is presumably eligible to land provided he recover, such remaining members may be forthwith inspected and, if found eligible, landed upon the deposit (1) of a sum of money (or ticket covering transportation and money) sufficient to defray the expenses of conveying the detained member to final destination, and (2) if for infancy or any other cause he may require an attendant when traveling or in process of deportation, of a further sum sufficient to cover the cost of the services and transportation to and fro of such an attendant, unless satisfactory assurances are given that a proper attendant will be furnished without charge to the Government.

Circumstances and conditions under which holding entire family may be avoided;

^aTypical instances hereof are (a) where the afflicted member is a minor or one otherwise dependent, requiring an accompanying alien in the event of deportation, one or the other parent being the proper person to select for such purpose, and the effect of depriving the remaining members of the family of the care of such parent would be to render some or all of them persons likely to become public charges; (b) where the afflicted member is the head of the family and its only bread-winner and his physical condition, due presumably to temporary causes, is such that he could not travel if either admitted or ordered deported and the cases of the remaining members of the family depend upon the disposition made of his case.

Holding accompanying alien under section 11;

(e) Where, in the estimation of the appropriate immigration officials, an alien likely to be rejected as helpless under section 11 arrives accompanied by one or more aliens whose protection or guardianship he will, if rejected, require one of such accompanying aliens (preferably a relative or natural guardian) shall be detained and the determination of his case may be postponed until after that of the alien whom he accompanies.

Children under 16—

Special method of examination;

Rule 5A. *Children under 16 unaccompanied.*—All children under 16 unaccompanied by either parent, neither parent being in the United States, shall be held for special inquiry. The board shall exclude them as a matter of course unless it finds (1) that they are strong and healthy, (2) that while abroad they have not been the objects of public charity, (3) that they are going to close relatives who are able and willing to support and properly care for them, (4) that it is the intention of such relatives to send them to school until they are 16, and (5) that they will not be put at work unsuited to their years. Where the board finds these facts to exist it will so report orally or in writing to the officer in charge and defer final action until such officer has personally inspected the child. If, in his judgment, the child should be admitted, he shall so state to the board (this fact being entered of record), which may thereupon admit. Where, in the opinion of such officer, the child is not clearly admissible, the board shall exclude and give the usual notice of the right of appeal. If thereafter an appeal be filed, the case shall be forwarded with the recommendation either for (a) admission outright, (b) admission on bond, or (c) exclusion.^a

Appeals:

Aliens to be clearly advised of right to;

When notice of may be rejected.

Rule 5B. *Appeals.*—(a) An excluded alien shall be informed that the return voyage is at the expense of the steamship company which brought him. Where an appeal lies, he shall be clearly informed of his right thereto and the fact that he has been so informed shall be entered of record in the minutes. In the discretion of the officer in charge, notice of appeal may be rejected unless given within forty-eight hours after exclusion, or if given within forty-eight hours prior to the sailing of the first vessel by which deportation may be effected where such sailing occurs not less than forty-eight hours after exclusion. The officer in charge may reject any appeal filed after an alien excluded by a board has been placed on the vessel for deportation, unless he was so placed to prevent congestion or danger of contagion under Rule 8.

^a One of the purposes of this rule is to insure that the case of each child under 16, unaccompanied, shall receive the attention of the officer in charge and thus bring about the application of substantially uniform standards as to the admission of those cases which do not reach the Department, as well as prompt admission where admission ought obviously to occur.

(b) The officer in charge shall as promptly as circumstances permit notify the agents of a vessel by which an alien is to be deported of this fact, giving also the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of his condition.

Rejections:
Steamship agents to be advised of;

(c) If an alien rejected as mentally or physically defective is in such condition as to require special care and attention while being deported, the officer in charge shall, when delivering such alien to the transportation company concerned, deliver also Form 597, properly filled out in accordance with Rule 37 hereof, all requirements of which rule will be observed by the company in so far as applicable here.

Form 597 to be used if alien requires special care.

Rule 6. Appeals.—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien is based upon a certificate of the examining medical officer which shows—

Appeals:
When permissible;

When not permissible; because decision is based on medical certificate;

(a) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(b) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(c) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(d) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(e) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision

Discretion of board of inquiry under section 10;

will naturally depend upon the circumstances of the case.^a

Application
for landing un-
der bond
and
Appeals:

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction
drawn between;

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under bond:

When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.

But when the board reaches such conclusion upon the basis solely of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.

^a For example, when the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those above named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

Rule 7. Appeals, procedure.—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Appeals:
Notice of, to act as stay of deportation;

Evidence considered on;

Granting additional time for;

Rule 8. Appeals, procedure.—The commissioner of immigration or the immigration officer in charge at the port of application shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Making record of;

Notifying steamship of dismissal of.

Rule 9. Medical examination.—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed.

Medical examination:
What surgeons to conduct;

- Medical examination:** The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state:
- Certificates covering, contents of—*
- Insane within 5 years;** (a) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2);
- Contagious diseases;** (b) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19);
- Mental and physical defects;** (c) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26);
- When hospital treatment required;** (d) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19);
- For helplessness;** (e) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21);
- Wives and minor children;** (f) Where the wife or minor children of an alien who has declared his intention to become a citizen are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and
- Persons afflicted at time foreign embarkation.** (g) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing

that it might have been detected by a competent examination.

Rule 10. Hospital treatment under section 19.—(a) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Landing for hospital treatment:

Conditions under which permissible;

(b) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

Evidence required, in urgent cases—

(c) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

—in other cases;

(d) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of

By "express permission" of Secretary:

Evidence required;

Landing for hospital treatment:

By "express permission" of Secretary;

Deposits required—money and transportation;

the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such reports shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Procedure re-
garding alien and
deposits;

Not admission.

(e) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Wives and
children of dom-
esticated aliens:

Landing of, for
treatment;

Rule 11. Hospital treatment under section 37.—Where, upon the arrival of the wife or minor child or children sent for by an alien who has declared his intention to become a citizen, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable,

they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See Rules 5 and 10.)

Wives and children of domesticated aliens:

Evidence required.

Rule 12.^a

Rule 13. Detention expenses.—(a) The appropriate immigration officers may conduct the inspection of aliens (including medical examination and examination before boards of inquiry), and detain them or order them detained pending determination of their right to land and after exclusion, either on the vessel or at any other place to which they may be temporarily removed by the direction or with the consent of such immigration officers. Whenever a temporary removal of aliens is made to a building existing for their detention and examination, or to any hospital, or elsewhere, such removal shall not be regarded in any sense as a landing, and the steamship company concerned shall pay all expenses incident to or involved in such removal and detention (excepting only where removal or detention occurs under the terms of any of the provisos of section 19 or of section 37), irrespective of whether the aliens removed or detained are subsequently admitted or deported; such expenses to include those of maintenance, treatment, and care in hospital, medical treatment elsewhere, burial in the event of death, and transfer to the vessel in the event of deportation. Where aliens are fed under an exclusive privilege (section 30), the expenses of maintenance shall be deemed the charges at which the privilege holder agrees to furnish them food, except that the cost of any special food found by the surgeon to be required by an alien in feeble health (but not detained in hospital) may be an additional expense of maintenance. At ports where the Immigration Service maintains hospitals the hospital expenses shall be such as are fixed by the Commissioner-General of Immi-

Detention expenses:

Aliens to be detained either on vessel or in a station;

Removal to station not a "landing," and steamships responsible for all expenses;

How charges are fixed;

^a The old rule of this number has been amended and combined with Rule 5.

Detention ex- gration, and at other hospitals they shall be such as are
penses. fixed by the authorities thereof.

Of an accom- (b) If in the judgment of the officer in charge, based
panying alien; upon the expressed opinion of a surgeon, it is necessary
for the proper care of an alien removed to hospital or as
a measure of humanity to place with him there an attend-
ant or accompanying alien, the cost of the latter's deten-
tion in hospital must be borne in the same manner as is
the cost of treating the disabled alien.

Steamships (c) Immigration officers are under no obligation to
may be required order the removal of aliens from a vessel for inspection
to obligate them- or hospital treatment until the steamship companies have
selves for pay- obligated themselves in a manner satisfactory to such
ment of; officers for the payment of the expenses hereinbefore
referred to, and at their option they may require payment
in advance, or security, for each and every one thereof;
and for failure on the part of a steamship company at
any time during the course of detention to pay such
expenses, the aliens may be returned to the vessel.

If not paid
aliens may be re-
turned to vessel;

When to be
borne by Gov-
ernment—

—by the alien;

—by either
Government or
alien;

(d) Detention expenses shall be borne by the Govern-
ment in cases of (1) aliens held as witnesses under section
19 and (2) insane aliens whose health or safety would be
unduly imperiled by immediate deportation (section 19).
They shall be borne by the alien always where he is
treated by "express permission" of the Secretary under
section 19 (Op. Compt. Jan. 15, 1908); and preferably
by the alien, but by the immigration appropriation under
special authority (1) where it is necessary to hold the
alien *after admission* in accordance with Rule 15, and (2)
in the cases of wives and minor children of aliens who
have filed their declaration of intention to become citizens,
and of minor children of naturalized citizens born
abroad prior to the naturalization of the parent, where
such cases are covered by section 37 (Op. Compt. Jan. 15,
1908; see also Rule 11).

Presenting bills
for.

(e) Bills pertaining to any of the expenses in this rule
mentioned shall be presented to the steamship companies
responsible monthly, or oftener at the option of the
officer in charge. Where such expenses are not in respect
of services rendered by privilege holders, private hospitals
or other third parties, the officer in charge may require
the bills covering the same to be first submitted to him
for approval.

Witnesses:

Holding aliens
to act as.

Rule 14. Holding aliens as witnesses under section 19.—
In recommending that an alien be held to testify against
persons violating the immigration act, detailed reasons
for the recommendation should be given. If deportation
is thereupon stayed by the Department, the case must be
promptly reported to the United States attorney with
request that, if he decides to institute proceedings,
arrangements be at once made either to take the depo-
sition of the alien or to secure an order from the court for
his detention as a witness, as the nature of the proceed-

ings may require.^a If the United States attorney decides not to prosecute, or the alien's testimony is taken by deposition, or it is not possible to promptly secure an order of court for the holding of the alien, such fact shall be reported to the Department, so that an order of deportation may issue without delay.

Rule 15. Assistance to admitted aliens.—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "appropriation for the enforcement of the immigration act."

Assisting and protecting aliens:
Providing means in case of accident.

Rule 16.^b

Rule 17. Oath, board of special inquiry.—Any immigration or other government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

Members of boards of special inquiry:
Oath to be taken by.

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I,, having been designated by to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

..... and subscribed before me this day of,
A. D. 19...
[Official seal.]

Rule 18. Appearance of attorneys.—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to

Attorneys:
Fees to be charged by;

^a One of the reasons for this requirement is a desire to avoid the hardship that would result from holding the alien after exclusion has been determined upon without some arrangement being effected whereby he may receive witness fees. Such fees can not be granted by the Department, but under certain conditions are allowed by a court.

^b The old rule of this number has been amended and combined with Rule 13.

- Attorneys:** a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Any one charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.
- Method of disbarring for misconduct;**
- Keeping record of.**
- Notice of sailings:** **Rule 19. Notice of sailings.**—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.
- Masters of vessels to give.**
- Admissions under bond:** **Rule 20. Admissions under bond.**—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies (within the time specified by Rule 5 hereof) an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)
- Cases in which permissible;**
- Procedure for;**
- Amount of bond;** If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be

required in an amount which in no case shall be less than five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Admissions under bond:
Sureties on bond;
Bond to be in duplicate;

If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Procedure if bond not forthcoming.

Rule 21. Japanese and Korean laborers.—The following rule is promulgated for the purpose of giving effect to an executive order of the President issued on March 14, 1907, reading:

Japanese and Korean laborers:

Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

President's proclamation concerning;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

(a) Aliens from Japan and Korea are subject to the general immigration laws.

Subject to general immigration laws;

(b) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Limited passports held by:

Japanese and
Korean laborers:
Presumptions
concerning;

(c) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U.
S. or unlimited;

(d) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to
status of;

(e) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(f) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(g) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to
communicate
with diplomatic
officers;

(h) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and
consideration due
to;

(i) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every

courtesy and consideration to which the citizens of ^{Japanese and Korean laborers:} most-favored nations are entitled when they come to the United States.

(j) For practical, administrative purposes, the term ^{Definition of} "laborer, skilled and unskilled," ^{term "laborer, skilled and unskilled;"} within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

(k) Passports presented by Japanese and Koreans ^{Indorsement of} shall be plainly indorsed, in indelible ink, by the officer ^{passports.} admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Rule 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens: ^{Seamen:}

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping. ^{Who are seamen;}

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907). ^{In trade; coastwise}

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at ^{Discharged;}

Seamen: the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting; Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States if otherwise engaged; Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to; In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—
To what extent examined; (a) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 9.^a

If mentally or physically afflicted, not considered bona fide;
All seamen to be primarily inspected; (b) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the

^a For manner of assessing fine in such cases, see paragraph (g), Rule 28.

purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

Seamen:
General procedure regarding—

(c) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

If not *bona fide*, must not be landed;

(d) Head tax shall not be assessed on account of *bona fide* seamen landing in the pursuit of their calling. On account of such as are discharged with the intent to remain in the United States, and on account of those who are found or shown to have deserted and remained in the United States, the head tax shall be assessed.

Head tax not assessable on if *bona fide*;

(e) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit, with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Manifests of not *bona fide*;

(f) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious

Procedure if ill and law of vessel's country requires return home;

Care to be exercised concerning, when ill and allowed transit;

Seamen:
General procedure regarding—

disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

(g) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Mental and physical examination of, at foreign ports;

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Report of prospective discharge of, in United States ports;

2. In any case in which an alien seaman is not employed or articulated for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the immigrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

Regulation of shore leave, and reporting auspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford

opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Seamen:

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Reporting desertions of, and apprehending deserters;

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (g) will be followed.

Presumptions in favor of vessels under special procedure.

Rule 23. Stowaways.—The Immigration Act contains no provision expressly relating to stowaways. Such persons must be dealt with, therefore, if they seek admission to the United States, precisely as other aliens are dealt with.

Stowaways:

To be treated like other aliens.

Alien stowaways must be reported and manifested by the masters of vessels, immediately upon arrival at a port of the United States, in the same manner as other aliens: *Provided, however,* That the name of every such person shall be followed by the word "stowaway." Head tax shall be certified on their account, and they shall be examined under the Immigration Act touching their right to enter the United States.

Rule 24. Ports of entry, Canada.—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Fort Kent, Fort Fairfield, Van Buren, Houlton, Madawaska, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morris-town, Clayton, Cape Vincent, Charlotte, Olcott, Lewiston, Niagara Falls, and Buffalo, N. Y.; Cleveland and Toledo, Ohio; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Chicago, Ill.; Duluth, Ranier, Interna-

Ports of entry, Canada:
List of.

tional Falls, Warroad, Beaudette, and Noyes, Minn.; Hannah, Pembina, Neche, Walhalla, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian
agreement:

Admission un-
der;

Seaports of in-
spection;

Certificates
admission;

Rule 25. Admission and exclusion, Canadian ports.--

In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

(a) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

(b) The said certificate shall be in the following form:

Alien certificate.

No.

Form of;

FORM 524.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

This is to certify that....., a native of
....., who arrived at the port of.....
per steamship ".....," on the 19..,
has been duly inspected and registered, and will be admitted into
the United States upon proper identification and surrender of this
certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age,; height,
.....; weight,; color of hair,; color of eyes,

Remarks: [Note destination, etc.].....
.....
.....

U. S. Commissioner of Immigration.

Surrendered at, to Inspector
....., 19...

Seaport exami-
nation by inspec-
tors and boards;

(c) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of
rejected aliens;

(d) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmis-

sible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came. Canadian agreement:

(e) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12. Manifests of incoming passengers;

(f) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (a) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (a) and (f) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (a): *Provided*, That any alien, whether of a class upon whom head tax is chargeable or otherwise, who desires to enter the United States from the Dominion of Canada, may be required by any immigrant inspector having a doubt as to alien's admissibility, to appear for examination before a board of special inquiry located at any of the following points: Halifax and Yarmouth, Nova Scotia; Calais and Houlton, Me.; St. John, New Brunswick; Quebec and Montreal, Quebec; Newport, Vt.; Buffalo, Niagara Falls, and Lewiston, N. Y.; Cleveland and Toledo, Ohio; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Chicago, Ill.; Duluth and International Falls, Minn.; Winnipeg, Mani- Payment of head tax;

Manifests of outgoing passengers;

Certificates of admission;

Appearance before board required;

Location of boards;

- Canadian agreement:** toba; Portal, N. Dak.; Sweet Grass and Gateway, Mont.; Eastport, Idaho; Marcus, Sumas, and Blaine, Wash.; and Vancouver and Victoria, British Columbia. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States.
- Transoceanic deportation when required;** That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.
- Facilities at sea ports;** (g) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.
- Certificates of admission;** (h) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (a) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.
- Returning aliens not holding certificates of admission;** (i) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subse-
- Examination before boards;**
- Deportation of excluded and deportable classes;**

quently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.

Canadian agreement;

(j) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

Application of regulations to aliens coming through Canada;

(k) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face.

Guaranteeing payment of head tax;

(l) All moneys collected as provided in paragraph (e) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose.

Returning head-tax certificate;

Disposition of head tax collected in Canada;

(m) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration.

Commissioner bonded;

(n) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the

Reports from Canadian border.

Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Ports of entry,
Mexico:
List of.

Rule 26. Ports of entry, Mexico.—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Laredo, Eagle Pass, Del Rio, and El Paso, Tex.; Douglas, Naco, and Nogales, Ariz.; and Andrade, Calexico, and Tia Juana, Cal.

Mexican border:
Inspection along;

Rule 27. Admission and exclusion, Mexico.—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be
used in collecting
statistics and
head tax;

(a) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection.

FORM 548.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
MEXICAN BORDER DISTRICT.

Serial No. ...

Manifest List No.

Line..... PORT OF.....

Arrived via..... (Date)....., 19..

Personal description.					Place of birth.
Height.		Complexion.	Color of—		
Feet.	Inches.		Hair.	Eyes.	
Marks of identification.					

Name,; Accompanied by; Sheet No.; Age, ...; Sex, ...; Married or single, ...; Occupation, ...; Read, ...; Write, ...; Nationality,; Race,; Last residence,; Name and address of nearest of kin in country from whence alien came,; Final destination,; Ticket,; Passage paid by; Money,; Ever in U. S.?; Where?; When?; Going to join; Name and address,; Ever in prison, etc.?; Polygamist,; Anarchist,; Contract laborer,; Health,; Transit,; Head tax assessable against; Action by primary inspector; Immigrant*; Statistical*; Nonimmigrant*; Nonstatistical*
Inspector.
Interpreter.

CHARACTER OF HEAD TAX ASSESSED.

Mexican border:

Straight* Special deposit* (Rule No. ..) Refund certified†.....

ACTION BY BOARD OF SPECIAL INQUIRY.

Hearing held Serial No.
† Admitted.....* Deferred,
† Debarred.....* Cause,

ACTION BY DEPARTMENT.

Appeal: Sustained...† Dismissed...† Authority.. Received...†
 Domicile: Allowed....† Denied....† Authority.. Received...†
 Bond: Granted....† Denied....† Authority.. Received...†
 Final action (character of), Date,
 Detained (cause), from..... to....., incl.

*Strike out inappropriate headings.

†Insert date.

(b) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Use of above blank;

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
 IMMIGRATION SERVICE,
 MEXICAN BORDER DISTRICT.

OFFICE OF
 PORT OF
, 19...

COLLECTOR OF CUSTOMS,

SIR: I hereby certify that head tax has been incurred by^a
 on account of alien passenger arriving by
 on this date, and duly admitted:
 Alien subject to head tax at \$4 each, as follows:

..... \$.....
 Amount to be deposited on account of alien in transit
 (Rule 41) and held as special deposit (Treasury decision
 24439), as follows: ^b

..... \$.....
 Amount to be deposited on account of alien held for
 examination by board of special inquiry (Rule 1) and
 held as special deposit: ^b

..... \$.....
 Total..... \$.....

(Name.)

(Title.)

^a Give train number and state mode of transportation.

^b Names of aliens and their manifest numbers must be given.

Mexican border:

Examination concerning funds in alien's possession.

(c) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:

On account diseased aliens—

Manner of imposing;

Rule 28. Fine, bringing of diseased aliens.—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Contents of medical certificates concerning;

(a) The certificate of the medical examiner in the case of an alien afflicted with idiocy, imbecility, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease shall state whether, in his judgment, the existence of such disability or disease might have been detected by a competent medical examination at the port of foreign embarkation.

Notification;

(b) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice; *Notice of liability for fine on account of bringing diseased alien to the United States.*

FORM 507.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

[Prepare in triplicate.]

OFFICE OF.....,

PORT OF....., 19..

To.....

..... of the steamship

[Master, agent, owner, or consignee.]

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose

name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907. Fines:
On account diseased aliens—

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
.....
		[Name.]
		[Official title.]
Received the above notice.....	19.., at	M.
		[Time.]

(Witness:)

(c) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made. Disposition of notice;

(d) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires. Deposit;

(e) If, after service of the notice as provided in paragraph (b) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said Stay of action;

Fines: commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor.
On account dis-

Final proceed- (f) Upon receipt of the decision of the Secretary of
ings; Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

Exceptional (g) All cases of alien seamen believed to fall within the
proceedings con- preceding provisions shall, before requiring the special
cerning alien sea- deposit, be completely reported to the Department, and
men. only upon receipt of instructions from it shall this rule be enforced in such cases. (See also paragraph (a), Rule 22.)

For nonmani- **Rule 29. Fine, failure to deliver manifests.**—If the
festing— master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice and pro- (a) Written notice, clearly setting forth the particulars
cedure as to in- in which the lists or manifests are deficient, shall be served
coming passen- upon the steamship company concerned, allowing such
gers; company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Notice as to (b) Similar notice shall be given by collectors of cus-
outgoing passen- toms as a preliminary to collecting fines for failure to
gers; promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Can not be (c) Under an opinion of the Attorney-General, the
remitted; fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Aggregate not (d) In no case covered by this rule shall the aggregate
to exceed \$100, in amount of fines collected in any one instance of departure
cases departure; of a vessel exceed one hundred dollars.

Exemption on (e) The detailed statistical information required under
account diplo- section 12 of the Immigration Act and section 1 of the
matic and con- naturalization act of June 29, 1906, shall not hereafter
sular officers; be required to be furnished in the cases of diplomatic and

consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Fines:
For nonmanifesting—

(f) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Questioning
aliens concerning
items lacking in
manifests.

(g) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Certificate of
surgeon, regard-
ing aliens aboard
vessel:

**What accept-
able.**

(h) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Manifests:
Alphabetical
indexes of.

Rule 30. Fines, reporting of.—The following method will be observed in reporting fines incurred under the immigration laws:

Fines:

**Method of re-
porting when
U. S. attorney
requested to pros-
ecute.**

(a) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case given to each violation.

(b) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

(c) At the close of each month, collectors of customs will render reports in the same manner as in the case of

Fines:

navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(d) All fines disposed of during the month must be reported on Form Cat. No. 1006. In connection with this form, the account current (Form Cat. No. 1000) must be used.

(e) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Deportation,
aliens subject
to:

Rule 31. Deportation, aliens subject to.—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members ex-
cluded classes:

(a) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(b) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(c) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering
surreptitiously.

(d) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 36.)

Public charges
from prior
causes:

Rule 32. Public charges from prior causes.—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*—

Reporting cases
of:

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth:

Medical certi-
ficate of;Data for verify-
ing landing of;

(a) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship.

Exact condi-
tion to be shown;

(b) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also

his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected.

(c) A full and complete recital of the causes to which are attributed the alien's condition as a public charge.

(d) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion.

(2) A complete copy of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends.

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment.

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

Rule 33. Public charges, medical certificate.—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Rule 34. Deportation, application for warrant.—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

Rule 35. Deportation, procedure.—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed:

(a) All applications for warrants must be made, if possible, upon blank Form No. 565, which will be fur-

Public charges from prior causes;

Statement of causes required;

Origin of causes;

Copy of history required;

Commitment papers;

Further certificate required if possible.

Public charges;

Medical certificate concerning.

Deportation: Application for warrant of.

Deportation, procedure:

Application for arrest warrant;

Deportation procedure: finished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable.

Affidavits accompany; to (b) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law.

Verification of landing; of (c) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest.

Telegraphic application for arrest warrant; (d) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant.

Issuance of arrest warrant; (e) If, thereafter, it appears to the Secretary that the alien concerned is in the United States unlawfully, and that the time within which he may be deported has not expired, a warrant for his arrest shall issue directing that he be taken before the person or persons therein described and there be given a hearing, at which he shall have full opportunity to show cause, if any there be, why he should not be deported.

Hearing under arrest warrant; During the course of the hearing the alien shall be allowed to inspect the warrant of arrest and all the evidence on which it was issued; and, at such stage thereof as the person before whom the hearing is held shall deem proper, the alien shall be apprised that he may thereafter be represented by counsel, and shall be required then and there to state whether he desires counsel or waives the same, and his reply shall be entered on the record. If

Rights of counsel:

counsel be selected he shall be permitted to be present during the further conduct of the hearing, and be permitted to inspect and make a copy of the minutes of the hearing so far as it has proceeded, and to offer evidence to meet any evidence theretofore or thereafter presented by the Government. At the close of the hearing all of the papers, including the minutes, and any written argument submitted by counsel for the alien, shall be forwarded to the Department as the record on which to determine whether or not a warrant for deportation shall issue.

Deportation, procedure;

If the alien is unable to speak or understand English, an interpreter shall, where practicable, be employed. If it be necessary to employ as such some one outside the Service, authority for payment of a reasonable compensation will, upon request, be granted. If the alien be physically or mentally incapable of testifying, his relatives, friends, or acquaintances, if any, shall be questioned.

Interpreter to be secured;

(f) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Medical certificate;

(g) Pending decision upon the case the alien shall be released from custody, provided there is furnished a satisfactory bond as required by section 20, prepared on the blank form supplied by the Bureau. No arrested alien shall be released until the authority of the Department to accept bond in a specified sum is received, nor until the sureties on the bond have been found to be financially responsible. Before releasing the alien, either one of two methods shall be observed (as may be deemed best calculated to insure expedition) to have the bond approved as to form and execution: First, forward the bond to the Bureau at Washington for review by the Solicitor; or, second, submit the bond to the local United States attorney for such purpose. The alien shall be promptly released on receipt of advice that the bond has been approved as to form and execution, and the bond forwarded to the Bureau for formal acceptance. In default of bail, the alien shall be held in custody in some convenient secure place. The holding of aliens in jail shall be avoided to the fullest extent consistent with a proper enforcement of the law. When necessary to hold them in jail, every reasonable effort shall be exerted to see that their surroundings are proper, especially if they are women or children.

Release under bond;

Sureties on bond;

Approval of bond;

Holding aliens in default of bond;

(gg) The purposes of the bond mentioned in paragraph (g) are to insure the production of the alien "for a hearing or hearings * * * and for deportation if he shall be found to be unlawfully in the United States" (sec. 20). The Department's authority to detain the alien in custody in default of bail is limited to the same purposes. There-

Witnesses, holding arrested aliens to serve as;

Deportation,
procedure;

fore, any case in which it is believed a prosecution should be brought must be promptly reported to the United States attorney, with request that, if he decides to institute proceedings, arrangements be at once made either to take the deposition of the alien or to secure an order from the court for his detention as a witness, as the nature of the proceedings may require. If the court orders the commitment of the alien, custody will be surrendered to the person designated by the court to receive him until the term of commitment ends. If the court accepts a bond or recognizance for the appearance of the alien as a witness, he may, pending his discharge as such, be released under a further bond, approved by the Department, in the penalty of not less than \$500, conditioned for his production when required for deportation; or, if he is unable to give the further bond, he may be released if satisfactory arrangements are made with the officers of the court for his return to the custody of the immigration officials when no longer required as a witness. Unless the alien is committed by the court, or is released under the bonds or under the arrangement with court officials, hereinbefore mentioned, deportation must be effected in regular course.^a

Issuance of de-
portation war-
rant;

(h) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

Care to be ex-
ercised in con-
ducting investi-
gation;

(i) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.

Notice to
steamship com-
pany;

(j) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of a copy of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the

^a For further administrative details regarding this paragraph, see Bureau circular letter of July 20, 1909.

steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported. Deportation, procedure:

(k) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department. Attendant to seaport.

Rule 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rules is a proper charge against the appropriation "Expenses of regulating immigration;" but in cases of aliens who have become public charges from causes existing prior to landing in the United States such cost shall not be allowed for any period preceding the date of issuance of warrant of arrest to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. Maintenance bills under this rule shall be delivered to the immigration officer in immediate charge of the case within a period of twenty days from the close of the calendar month in which occurs the death of the alien or removal from the institution for deportation. Failure to so render maintenance bills shall relieve the United States from any responsibility for the payment thereof. If proceedings against a procurer or contractor are instituted in accordance with sections 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof. Arrest and deportation:
Expense of maintenance during proceedings, how borne;
Time for rendering bills;

Rule 37. *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*^a Method of obtaining reimbursement when importers are prosecuted.

(a) When deportation is to be effected either under warrant proceedings or in pursuance of rejection at a port, the responsible steamship company shall be required to afford the deported alien special care and attention, if, in the first class of cases, the Department decides when issuing the warrant that such care and attention are necessary, or if, in the second class of cases, the commissioner or inspector in charge at the port renders such a Deportation:
Procedure in cases of insane or diseased aliens;
Aliens requiring special care and attention;

^a For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

Deportation: decision. The report of hearing in warrant proceedings should be accompanied by a statement obtained from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the alien's condition, showing such condition in terms that will enable the Department to determine whether special care and attention are needed.

Procedure in cases of; (b) If the Department (or the commissioner or inspector in charge, as the case may be) finds that the alien requires special care and attention, the steamship line by which deportation occurs must provide all necessary care and attention as called for by his condition, not only during the ocean voyage, but also (except as hereinafter provided) during the foreign land journey. Proof that such care and attention have been provided and the alien sent to his final destination must be furnished through sheets "B" and "C" of Form 597 hereinafter referred to.

Returns by vessels concerning;

Delivery of forms of returns;

(c) The alien may be delivered to the master or first or second officer of the vessel by which deportation is to occur, and together with the alien there shall be delivered Form 597 (composed of sheets "A," "B," and "C"), also a duplicate carbon of sheet "A." The receipt and sheet "A" will be completely filled out by an immigration officer (except as to signature) prior to delivery. He shall also insert at the blank space following "No." at the top of each sheet the number of the departmental warrant where deportation occurs pursuant to warrant, and the local correspondence file number where deportation occurs pursuant to rejection by a board. The receipt attached to sheet "A" shall be signed by the ship's officer to whom the alien has been delivered and returned forthwith to the immigration officer making delivery. Sheets "B" and "C" shall be retained by the ship's officer and in due course filled out by the agents or persons therein designated and by them returned by mail as therein provided.

Preparation of returns;

(d) From the foreign port of debarkation the steamship company must forward the alien to destination in charge of a proper custodian (all expenses to be borne by such company), except only in cases where foreign public officials decline to allow such custodian to proceed and themselves take charge of the alien. In that event this fact must be shown by signing the form provided in the lower half of sheet "C;" and where foreign public officials have taken charge at the port of debarkation it will be unnecessary to fill out any portion of the form on the upper half of sheet "C."

Where the foreign public officials take charge not at the port of debarkation, but at an interior frontier, both forms on sheet "C" must be filled in, the former in relation to the inland journey as far as such frontier.

Mailing of returns;

(e) Whenever, without excuse satisfactory to the commissioner or inspector in charge of immigration at the port of embarkation, a steamship company has failed, for

a period of ninety days after departure of an alien requiring special care and attention under this rule, to comply with any of the terms thereof, including failure to return sheets "B" and "C" properly filled out, such commissioner or inspector in charge shall forthwith report this fact to the Commissioner-General of Immigration, and thereafter the Secretary of Commerce and Labor will, without further notice and during such period as he shall determine, exercise his right under section 21 to employ suitable persons to accompany to their final destinations aliens deported on a vessel of such steamship company requiring special care and attention. Instructions as to compensation of such attendants, their mode of travel, their right of access to the alien during the ocean voyage, and other necessary matters will be given in each case as it arises.

Deportation:

Rule 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

To be to trans-oceanic port;

Rule 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Of public charges from subsequently arising causes;

Expense, how borne.

RULES RELATING TO TRANSIT.

Rule 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Transits:

To be examined;

Cases exceptional hardship to be reported;

Rule 41. *Aliens in transit, head tax for.*—(a) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said

Head tax must be deposited on account of;

Transits:

Head tax to be refunded on proof of departure;

port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax to be covered into Treasury at expiration of 60 days; How then refundable;

Head tax on, special system of collecting and refunding when from Canadian territory;

(b) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (k) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

Head tax on those arriving at Canadian seaports;

(c) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port — refund of head tax on account of;

(d) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (b) hereof.

(e) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof, consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor."

Transits:
Entering as tourists — different practice applying to;

MISCELLANEOUS RULES.

Rule 42. Cattlemen.—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows:

Cattlemen:
Admission of;

FORM 567.

Cattlemen's certificate of admission.

Form of certificate for.

[Stub.]

DEPARTMENT OF COMMERCE AND LABOR.
IMMIGRATION SERVICE.

No.....
Port of.....
Date....., 19....
Name.....
Age.....
Native of.....
Employed by.....
Of.....
A cattleman sailing on the steamship.....
Surrendered at the port of....., 19....
Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
Signature of cattleman:.....

No..... PORT OF....., 19....
This is to certify that a native of..... age....., who is duly accredited an employee of..... sailing on the steamship....., 19...., is a cattleman from the port of..... United States of America.
The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector
Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....

.....
Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

Immigration officials:

Administration of oaths by.

Rule 43. Administration of oaths.—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws:
Filing certificate of.

Rule 44. Posting of immigration acts.—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

Official communications:
To be sent through official channels.

Rule 45. Official communications.—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing:
Code for.

Rule 46. Telegraphing.—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms:
Officers required to wear:

Rule 47. Uniforms.—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States and elsewhere shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning—
Suits;

(a) **UNIFORM SUITS:** Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

Buttons;

(b) **BUTTONS:** The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases

while on duty. Button shells will be forwarded without cost upon application to the Bureau.

(c) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified, BLUE CLOTH cap will be furnished.*

(d) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

(e) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to the coat collars with hooks and eyes, so that they may readily be removed.

(f) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

(g) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

Uniforms:
Particulars concerning—
Caps;

Cap insignia;

Collar insignia;

Service insignia;

Seasons;

Uniforms: (h) **LIGHT-WEIGHT UNIFORMS:** Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (a) hereof. The special buttons required to fit brass shells may be procured from the Bureau.

Inspections; (i) **INSPECTIONS:** Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" are made, the steps that have been taken to correct this condition should be noted.

New appointees. a p - (j) **NEW APPOINTEES:** Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

Districts:
Number;
Official in charge;
Headquarters;
Extent.

Rule 48. For convenience in enforcing both the immigration and the Chinese-exclusion laws, the territory within which immigration officials are located is divided into districts, under the jurisdiction of commissioners of immigration or inspectors in charge, numbered, defined, and with headquarters fixed, as follows:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports.
2	Commissioner of immigration.	Boston, Mass.....	New England States, including port of Boston and suburbs of Portland and New Bedford.
3	Commissioner of immigration.	Ellis Island, New York Harbor.	New York and New Jersey; immigration matters <i>only</i> .
4	Chinese inspector in charge.	17 State street, New York, N. Y.	New York and New Jersey; Chinese matters <i>only</i> .
4	Commissioner of immigration.	Philadelphia, Pa..	Pennsylvania, Delaware, and West Virginia; port of Philadelphia and substations of Pittsburgh, Chester, and Wilmington.
5	Commissioner of immigration.	Baltimore, Md....	Maryland and District of Columbia; port of Baltimore and suburbs of Annapolis and Washington.
6	Inspector in charge....	Norfolk, Va.....	Virginia, North Carolina, and South Carolina; port of Norfolk and suburbs of Newport News, Wilmington, and Charleston.
7	Inspector in charge....	Jacksonville, Fla..	Georgia, Florida, and Alabama; port of Jacksonville and suburbs of Savannah, Brunswick, Tampa, Miami, Key West, Pensacola, and Mobile.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans and suburbs of Gulfport and Pascagoula.

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
9	Inspector in charge....	Galveston, Tex....	The port of Galveston and sub-ports of Port Arthur and Corpus Christi, Tex. The territory bounded on the north and east by the Louisiana-Texas border and the Gulf of Mexico; on the west by the westerly boundaries of the following counties in Texas: Shelby, Nacogdoches, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, Wharton, Jackson, Victoria, Refugio, San Patricio, and Nueces; and on the south by the southerly boundary of Nueces County, Tex.
10	Inspector in charge....	Cleveland, Ohio....	Ohio and Kentucky; substations at Toledo and Cincinnati.
11	Inspector in charge....	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.
12	Inspector in charge....	Minneapolis, Minn.	Minnesota and North and South Dakota.
13	Inspector in charge....	St. Louis, Mo.....	Missouri, Iowa, Kansas, and Oklahoma.
14	Inspector in charge....	Denver, Colo.....	Colorado, Wyoming, Nebraska, and Utah; substation at Salt Lake City.
15	Inspector in charge....	Helena, Mont.....	Montana and Idaho; substation at Havra, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, and Olympia; substations of Spokane and Walla Walla.
17	Inspector in charge....	Portland, Oreg....	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal.	Northern California and Nevada; port of San Francisco.
20	Inspector in charge....	Ketchikan, Alaska	Alaska; port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R. . .	Porto Rico; port of San Juan and subport of Ponce.
22	Inspector in charge....	Honolulu, Hawaii.	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, except portion comprising district number 9; New Mexico, and Arizona; port of El Paso, subports of Nogales, Douglas, Waco, Del Rio, Eagle Pass, Laredo, Hidalgo, and Brownsville; substations of San Antonio, Tucson, and Fort Worth. Southern California; port of San Diego and substations of Los Angeles and Andrade.

Rule 49. In furtherance of the requirement of section 13 of the immigration act, that the groups in which aliens are listed shall be "convenient," transportation companies are directed, so far as practicable, to assemble or group together all aliens coming from the same locality.

Rule 50. Inspection and entry of aliens into the mainland of the United States from foreign countries, through Porto Rican or Hawaiian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

(a) All aliens arriving in Porto Rico or Hawaii destined to the mainland of the United States shall be inspected at the time of arrival and be given a certificate of the form set forth below. The holders of such certificate, duly signed by the United States commissioner of immi-

Porto Rico and Hawaii:

Aliens arriving must be examined and given certificate;

Porto Rico and
Hawaii:

gration at San Juan, or by the inspector in charge at Honolulu, shall be entitled to admission to the United States at any one of the various ports of entry without further examination by the United States immigration officers as to their right to enter, upon their identification and surrender of such certificate to such officials and upon payment of head tax.

Surrender of
certificate;

How procured;

(b) Aliens manifested in good faith to Porto Rico or Hawaii, who shall reside there for a time, and who subsequently desire to proceed to the United States, shall, upon application to the commissioner of immigration at San Juan or to the inspector in charge at Honolulu, be furnished with the certificate herein referred to, attesting their previous examination.

What certificate
denotes;

(c) Failure to present the said certificate shall be deemed presumptive evidence that examination has not occurred in Porto Rico or Hawaii, and the alien shall be arrested in the manner provided by sections 20 and 21 of the Immigration Act, and deported, unless he shows that his presence in the country is lawful or that his residence in Porto Rico or Hawaii or the mainland, or both, has exceeded the period of three years.

Effect of failure
to secure certifi-
cate;

Head tax not
collectible;

(d) Head tax is not to be collected in the cases of aliens who arrived in Porto Rico or Hawaii prior to July 1, 1907, at which time the Act of February 20, 1907, took effect.

(e) The certificate shall be in the following form:

Form of certi-
ficate.

FORM 546.

Alien certificate—Insular territory.

No.....

DEPARTMENT OF COMMERCE AND LABOR,

IMMIGRATION SERVICE,

Port of,, 191...

This is to certify that, a native of, who arrived at the port of per steamship, on the, 19..., has been duly inspected and registered, and will be admitted into the United States upon proper identification and payment of head tax, and surrender of this certificate to any immigration officer at a designated port of entry.

The description of the holder is as follows: Age; height; weight; color of hair; color of eyes

Remarks (note destination, etc.):

(Name)

(Title)

Surrendered at to Inspector,, 191...

(f) Special material facts should be noted on the back of the certificate with proper reference thereto on the face.

DAN'L J. KEEFE,

Commissioner-General of Immigration.

Approved February 1, 1911.

BENJ. S. CABLE,

Acting Secretary.

APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.^a

Head tax:
Amount.

By whom and
to whom paid,
within 24 hours
after arrival;

To constitute
immigrant
fund;

How collec-
tion enforced.

* * * * *

Approved, August 3, 1882 (22 Stat., 214).

^a See section 1, act February 20, 1907, and Rules 1, 2, and 3.

ACTS OF 1885 AND 1888.

ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract
labor:
Contracts for
alien labor de-
clared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.^a

* * * * *

Approved, February 26, 1885 (23 Stat., 332).

ACT OF OCTOBER 19, 1888.

AN ACT making appropriations to supply deficiencies in appropriations for the fiscal year eighteen hundred and eighty-eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 1. * * * That the act approved February twenty-sixth, eighteen hundred and eighty-five, entitled "An Act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," be, and the same is hereby, amended so as to authorize the Secretary of Commerce and Labor to pay to an informer who furnishes original information that the law has been violated, such a share of the penalties recovered as he may deem reasonable and just, not exceeding fifty per centum, where it appears that the recovery was had in consequence of the information thus furnished.

* * * * *

Approved, October 19, 1888 (25 Stat., 566).

^a See sections 2, 4, 5, and 6, act of February 20, 1907.

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.^a

Superintendent of Immigration:

Office created; Salary fixed.

* * * * *

Approved, March 3, 1891 (26 Stat., 1084).

ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

Quarantine:

President given extraordinary power to suspend immigration.

* * * * *

Approved, February 15, 1893 (27 Stat., 449).

^a See section 1, act March 2, 1895, and section 22, act February 20, 1907.

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates:

Required of
steamship com-
panies re posting
laws in foreign
offices;

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.^a

Penalty for fail-
ure.

* * * * *

Approved March 3, 1893 (27 Stat., 569).

ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners
of immigration:

Appointed by
President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.^b

Approved August 18, 1894 (28 Stat., 372).

^a See Rule 44 for time of filing.

^b See section 7, act March 3, 1891, and section 22, act February 20, 1907.

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.

Commissioner-General:

Title created; Administration of contract-labor laws placed under.

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract,

Fairs and expositions:

Exceptions in favor of exhibitors at.

^a See section 7, act March 3, 1891, and section 22, act February 20, 1907.

such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax: *Provided,* That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.^a

Refund of,
when erroneously
collected.

Approved February 3, 1905 (33 Stat., part 1, p. 684).

ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands:

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered

^a See Rules 1 and 41.

by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

Philippine Islands:
Enforcement immigration laws therein;
Collection head tax therein.

* * * * *

Approved, February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Subscriptions:
To be paid in advance.

Approved, March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration

Bureau of Immigration:
Title changed to Bureau of Immigration and Naturalization.

to cause to be granted to such alien a certificate of such registry, with the particulars thereof.^a

* * * * *

Approved, June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Passports: *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided,* That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

When issued to persons not citizens;

Not valid in country of alien's former domicile.

Expatriation: SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

How effected;

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however,* That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe: *And provided also,* That no American citizen shall be allowed to expatriate himself when this country is at war.^b

How presumption overcome.

Marriage: SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

How affects status of woman marrying foreigner;

^a For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

^b This paragraph does not affect the case of a naturalized citizen applying for readmission. (Op. Atty-Gen., Dec. 1, 1910, published in Department Decisions No. 119).

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Marriage:
Of foreign woman marrying American.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Minor children:
Born outside United States, how citizenship resumed, and when takes effect;

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States^a and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Foreign born citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Evidence:
To be filed with State Department.

Approved March 2, 1907 (34 Stat., 1228).

ACT OF MARCH 26, 1910.

AN ACT to amend an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two of the Act entitled "An Act to regulate the immigration of aliens into the United

^aSec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; *persons who are supported by or receive in whole or in part the proceeds of prostitution*; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter called contract laborers who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, expressed or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another; or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe: *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section re-

lating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants."

SEC. 2. That section three of an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 3. That the importation into the United States of any alien for the purpose of prostitution or for any other immoral purpose is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien for the purpose of prostitution or for any other immoral purpose, or whoever shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, in pursuance of such illegal importation, any alien, shall, in every such case be deemed guilty of a felony, and on conviction thereof be imprisoned not more than ten years and pay a fine of not more than five thousand dollars. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occur. Any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; or who is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists, protects, or promises to protect from arrest any prostitute, shall be deemed to be unlawfully within the United States and shall be deported in the manner provided by sections twenty and twenty-one of this Act. That any alien who shall, after he has been debarred or deported

in pursuance of the provisions of this section, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and shall be imprisoned for not more than two years. Any alien who shall be convicted under any of the provisions of this section shall, at the expiration of his sentence, be taken into custody and returned to the country whence he came, or of which he is a subject or a citizen, in the manner provided in sections twenty and twenty-one of this Act. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against a wife or husband."

Approved March 26, 1910 (36 Stat., 263).

ACT OF JUNE 25, 1910.

AN ACT to further regulate interstate and foreign commerce by prohibiting the transportation therein for immoral purposes of women and girls, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term "interstate commerce," as used in this Act, shall include transportation from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, and the term "foreign commerce," as used in this Act, shall include transportation from any State or Territory or the District of Columbia to any foreign country and from any foreign country to any State or Territory or the District of Columbia.

SEC. 2. That any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or who shall knowingly procure or obtain, or cause to be procured or obtained, or aid or assist in procuring or obtaining, any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in any Territory or the District of Columbia, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in

any Territory or the District of Columbia, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars, or by imprisonment of not more than five years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 3. That any person who shall knowingly persuade, induce, entice, or coerce, or cause to be persuaded, induced, enticed, or coerced, or aid or assist in persuading, inducing, enticing, or coercing any woman or girl to go from one place to another in interstate or foreign commerce, or in any Territory or the District of Columbia, for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose on the part of such person that such woman or girl shall engage in the practice of prostitution or debauchery, or any other immoral practice, whether with or without her consent, and who shall thereby knowingly cause or aid or assist in causing such woman or girl to go and to be carried or transported as a passenger upon the line or route of any common carrier or carriers in interstate or foreign commerce, or any Territory or the District of Columbia, shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not more than five thousand dollars, or by imprisonment for a term not exceeding five years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 4. That any person who shall knowingly persuade, induce, entice, or coerce any woman or girl under the age of eighteen years from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, with the purpose and intent to induce or coerce her, or that she shall be induced or coerced to engage in prostitution or debauchery, or any other immoral practice, and shall in furtherance of such purpose knowingly induce or cause her to go and to be carried or transported as a passenger in interstate commerce upon the line or route of any common carrier or carriers, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than ten thousand dollars, or by imprisonment for a term not exceeding ten years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 5. That any violation of any of the above sections two, three, and four shall be prosecuted in any court having jurisdiction of crimes within the district in which said violation was committed, or from, through, or into which any such woman or girl may have been carried or transported as a passenger in interstate or foreign commerce, or in any Territory or the District of Columbia, contrary to the provisions of any of said sections.

SEC. 6. That for the purpose of regulating and preventing the transportation in foreign commerce of alien

women and girls for purposes of prostitution and debauchery, and in pursuance of and for the purpose of carrying out the terms of the agreement or project of arrangement for the suppression of the white-slave traffic, adopted July twenty-fifth, nineteen hundred and two, for submission to their respective governments by the delegates of various powers represented at the Paris conference and confirmed by a formal agreement signed at Paris on May eighteenth, nineteen hundred and four, and adhered to by the United States on June sixth, nineteen hundred and eight, as shown by the proclamation of the President of the United States, dated June fifteenth, nineteen hundred and eight, the Commissioner-General of Immigration is hereby designated as the authority of the United States to receive and centralize information concerning the procurement of alien women and girls with a view to their debauchery, and to exercise supervision over such alien women and girls, receive their declarations, establish their identity, and ascertain from them who induced them to leave their native countries, respectively; and it shall be the duty of said Commissioner-General of Immigration to receive and keep on file in his office the statements and declarations which may be made by such alien women and girls, and those which are hereinafter required pertaining to such alien women and girls engaged in prostitution or debauchery in this country, and to furnish receipts for such statements and declarations provided for in this Act to the persons, respectively, making and filing them.

Every person who shall keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any country, party to the said arrangement for the suppression of the white-slave traffic, shall file with the Commissioner-General of Immigration a statement in writing setting forth the name of such alien woman or girl, the place at which she is kept, and all facts as to the date of her entry into the United States, the port through which she entered, her age, nationality, and parentage, and concerning her procurement to come to this country within the knowledge of such person, and any person who shall fail within thirty days after such person shall commence to keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any of the countries, party to the said arrangement for the suppression of the white-slave traffic, to file such statement concerning such alien woman or girl with the Commissioner-General of Immigration, or who shall knowingly and willfully state falsely or fail to disclose in such statement any fact within his knowledge or belief

with reference to the age, nationality, or parentage of any such alien woman or girl, or concerning her procurement to come to this country, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than two thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment, in the discretion of the court.

In any prosecution brought under this section, if it appear that any such statement required is not on file in the office of the Commissioner-General of Immigration, the person whose duty it shall be to file such statement shall be presumed to have failed to file said statement, as herein required, unless such person or persons shall prove otherwise. No person shall be excused from furnishing the statement, as required by this section, on the ground or for the reason that the statement so required by him, or the information therein contained, might tend to criminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture under any law of the United States for or on account of any transaction, matter, or thing, concerning which he may truthfully report in such statement, as required by the provisions of this section.

SEC. 7. That the term "Territory," as used in this Act, shall include the district of Alaska, the insular possessions of the United States, and the Canal Zone. The word "person," as used in this Act, shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person, acting for or employed by any other person or by any corporation, company, society, or association within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such other person, or of such company, corporation, society, or association, as well as that of the person himself.

SEC. 8. That this Act shall be known and referred to as the "White-slave traffic Act."

Approved June 25, 1910 (36 Stat., 825).

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